

REMARKS

Claims 1-15 are pending in the application.

Claims 1, 2, 9-11 and 15 were rejected.

Claims 3-8 and 12-14 were objected to.

I. Drawings

The Office Action states that Figures 1 - 3 “should be designated by a legend such as -- Prior Art -- because only that which is old is illustrated.” Applicants have amended Figures 1-3 to add a “Prior Art” legend, and attach proposed drawing corrections for the Examiner’s consideration, the amended matter being shown in red. Formal drawing sheets for all figures are being submitted at this time, but new formal drawings for Figures 1-3 will be submitted upon the Examiner’s approval of the proposed drawing corrections to those figures.

II. Claim Rejections

In the Office Action, claims 1, 2, 9-11 and 15 were rejected under 35 USC §103(a) as being unpatentable over Weaver, Jr. (U.S. Patent No. 5,903,862) in view of Minkoff (U.S. Patent No. 6,434,235). Applicants respectfully traverse that rejection and request reconsideration by the Examiner.

As Applicants described in the specification, tandemed encoder/decoder applications, such as typically occur in calls between two wireless terminals, introduce a level of distortion (from the encoding/decoding process) that may be objectionable to a user. The invention here is directed to an improvement in the signal quality for such a tandemed encoder/decoder application. According to the methodology of Applicants’ invention, an adaptive filter is interposed in a tandemed encoder/decoder application between the output of the first decoder

and the input of the following encoder. The adaptive filter of the invention operates to provide a spectral adjustment to the output of the first decoder, which adjustment substantially compensates for spectral distortion introduced by the encoding/decoding process.

Although the Weaver reference provides a general teaching in respect to tandemed encoder/decoder operations, and is particularly directed to a method for detecting the occurrence of such tandemed operations, it does not provide any teaching that could reasonably be construed to show or suggest the introduction of an adaptive filter between the first decoder and the following encoder, as acknowledged by the Office Action. However, even if the secondary reference, Minkoff, is accepted as providing teaching of an adaptive filter in a manner that could realistically be combined with Weaver to replicate the invention here, that reference is not prior art to this application. The application here was filed on February 14, 2000, while the application which matured into the Minkoff patent was not filed until August 1, 2000, almost six months subsequent to the filing date of the instant application.

Applicants note for the Examiner's consideration that a companion application filed in Korea has now been examined by the Korean Intellectual Property Office. Two references were cited against the filed claims: (1) U.S. Patent No. 5,694,519 to Chen *et al.* and (2) WO 98/43237. It is noted that the Chen patent was previously supplied to the PTO in an IDS for references cited in the search report from the European Patent Office for the companion application filed in the EPO. A copy of WO 98/43237 is enclosed.

It is assumed that the Examiner has already considered the Chen reference. As to WO 98/43237, Applicants note that this reference is directed to a method for distortion compensation related to speech vectors in a speech recognition system. While WO 98/43237 may suggest that distortion compensation is a concern across many arts, nothing in the

teaching of WO 98/43237 could reasonably be construed to show or suggest the methodology disclosed by the Applicants for compensation of spectral distortion in a tandemed encoder/decoder application. Indeed, the teaching of WO 98/43237 is not even analogous art to the art of the invention here.

Applicants therefore respectfully suggest that their claims are patentably distinct from all art of record.

III. Allowable Subject Matter

Dependent claims 3-8 and 12-14 were objected to as being dependent on a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants thank the Examiner for providing this indication of allowability. However, Applicants believe that each of the independent claims serving as a base claim for these allowable dependent claims is also allowable over the art of record, for the reasons indicated above. Accordingly, the Applicants have determined not to present any new independent claims at this time.


IV. Conclusion

Having fully addressed the Examiner's objections and rejections herein, it is believed that, in view of the preceding remarks, this application now stands in condition for allowance. Such allowance is respectfully requested.

Please address all correspondence to John A. Ligon, Law Office of John Ligon, P.O. Box 43485, Upper Montclair, NJ 07043. Telephone calls should be made to the undersigned at (973) 509-9192.

Please charge any fees due in respect to this amendment to Deposit Account No. 50-1944.

Respectfully submitted,


John A. Ligon
Reg. No. 35,938
Attorney for Applicant

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LAW OFFICE OF JOHN LIGON
PO Box 43485
UPPER MONTCLAIR, NJ 07043-0485
973 509-9192
PTO CUSTOMER NO. 30541

I hereby certify that this Response to Office Action is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on June 14, 2003.

By: 

John A. Ligon